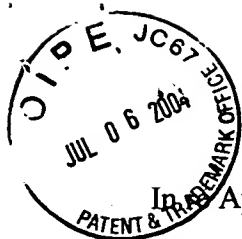


#5A  
JL  
7/21/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In Application of: THOMAS J. KENNEY

For : APPARATUS, AND ASSOCIATED METHOD, FOR FACILITATING SELECTION  
OF POWER LEVELS AT WHICH TO COMMUNICATE DATA IN A RADIO  
COMMUNICATION SYSTEM

U.S. Serial No.: 09/943,856

Filed: 08/31/2001

Group Art Unit: 2684

Examiner: GESESSE, TILAHUN

Docket No.: NC25872

RECEIVED

JUL 09 2004

Technology Center 2600

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:	
<i>Mail Stop New Fee Amendment</i>	
Commissioner of Patents	
P.O. Box 1450	
Alexandria, VA. 22313-1450	
on	June 30, 2004
<i>Diane Taylor</i>	
Diane Taylor	

**AMENDMENT**

Dear Sir:

In response to the Office action dated March 30, 2004, the shortened statutory period for reply set to expire on June 30, 2004, please amend the above-identified application as follows:

Amendments to the claims begin on page 2 of this paper.

Remarks begin on page 11 of this paper.

A